

**BAKER & HOSTETLER LLP**

45 Rockefeller Plaza  
New York, NY 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Nicholas J. Cremona  
Dean D. Hunt

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

KUNIN FAMILY LIMITED PARTNERSHIP;  
PAUL D. KUNIN REVOCABLE TRUST; PAUL  
D. KUNIN, individually, in his capacity as a  
General Partner of the Kunin Family Limited

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-04666 (SMB)

Partnership, and as Grantor and Trustee for the Paul D. Kunin Revocable Trust; BEVERLY C. KUNIN, individually, in her capacity as a General Partner of the Kunin Family Limited Partnership, and as Trustee for the Paul D. Kunin Revocable Trust; WENDI KUNIN, individually, in her capacity as a Limited Partner of the Kunin Family Limited Partnership; JENNIFER B. KUNIN, individually, in her capacity as a Limited Partner of the Kunin Family Limited Partnership; CYNTHIA L. GINSBERG, individually and in her capacity as a Limited Partner of the Kunin Family Limited Partnership,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF CERTAIN CLAIMS AND DISMISSAL WITHOUT PREJUDICE OF CERTAIN CLAIMS IN ADVERSARY PROCEEDING**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq., and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel Baker & Hostetler LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses Counts Two through Six of the Complaint in the above-captioned adversary proceeding with prejudice. The Trustee also dismisses Count Seven of the Complaint without prejudice. This Notice shall have no effect on or application to the Trustee’s remaining claims in Count One of the Complaint. Pursuant to Bankruptcy Rule 7041(a)(1)(A)(i), the Trustee is permitted to voluntarily dismiss claims in this adversary proceeding without further order of the Court by filing this Notice of Dismissal. As of the date hereof, defendants the Kunin Family Limited Partnership, the Paul D. Kunin Revocable Trust, Paul D. Kunin, Beverly C. Kunin, Wendi Kunin, Jennifer B. Kunin, and Cynthia L. Ginsberg have not filed or served an answer or a motion for summary judgment.

Dated: September 15, 2016

Respectfully submitted,

Of Counsel:

**BAKER & HOSTETLER LLP**  
811 Main Street, Suite 1100  
Houston, Texas 77002-0518  
Telephone: 713.751.1600  
Facsimile: 713.751.1717  
Dean D. Hunt  
Email: dhunt@bakerlaw.com

*/s/ Nicholas J. Cremona*

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45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com

*Attorneys for Irving H. Picard, Esq., Trustee for the  
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